

REMARKS

Applicant has amended claims 23-25, 27-39, 41-47, 49, 50-52, 54-55, and 62-64, and have cancelled claims 26, 28-36, 40, 42-44, 48, and 50-52, and 56-61 during prosecution of this patent application. Applicant is not conceding in this patent application that the subject matter encompassed by said amended and cancelled claims are not patentable over the art cited by the Examiner, since the claim amendments and cancellations are only for facilitating expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue the subject matter encompassed by said amended and cancelled claims, and to pursue other claims, in one or more continuations and/or divisional patent applications.

The Examiner objected to claims 56-58 and 62-64 as being dependent upon an alleged rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledges the Examiner's indication of allowable subject matter and have so rewritten claims 62-64 in independent form. In addition, Applicants have included all of the limitations of allowable claims 56, 57, and 58 into the respective base claims 23, 37, and 45.

The Examiner objected to claim 66 as being misnumbered and renumbered 64. In response, Applicant has re-numbered claim 66 to read claim 64.

The Examiner objected to claims 31, 44, 52 and 59-64 because of informalities.

The Examiner rejected claims 26, 40 and 48 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement..

The Examiner rejected claims 23-25, 37-39 and 45-47 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) in view of Kuroda et al. (US Patent No. 6,604,045).

The Examiner rejected claims 26, 40 and 48 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Heron (US Patent No. 6,055,478).

The Examiner rejected claims 27, 41 and 49 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Ohler et al. (US Patent No. 6,314,367) and LeFebvre et al. (US Patent No. 5,612,882).

The Examiner rejected claims 31, 44 and 52 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Jones (US Patent No. 6,904,359).

The Examiner rejected claim 53-55 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Ito (EP 1,106,965).

Applicant respectfully traverses the claims objections and the § 112 and § 103 rejections with the following arguments.

Claims Objections: Claims 31, 44, 52 and 59-64

The Examiner objected to claims 31, 44, 52 and 59-64 because of informalities.

Since claims 31, 44, 52 and 59-61 have been cancelled, the rejection of claims 31, 44, 52 and 59-61 is moot.

As to claim 62, the Examiner argues that claim 62 depends from cancelled claim 30, which is moot since claim 62 has been rewritten in independent form.

In addition as to claim 62, the Examiner argues that “the circle” lacks antecedent basis. In response, Applicants asserts that in claim 62, “the circle” has antecedent basis in “a circle” in the phrase “wherein the ring of images is shaped as *a circle* whose center is at the destination location” (emphasis added)

The Examiner additionally argues: “Claims 62-64; --is-- should be inserted between “set of images” and “a second unique.” In response, Applicant has amended claims 62-64 to insert --is-- between “set of images” and “a second unique”.

35 U.S.C. § 112, First Paragraph: Claims 26, 40 and 48

The Examiner rejected claims 26, 40 and 48 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Since claims 26, 40 and 48 have been cancelled, the rejection of claims 26, 40 and 48 under 35 U.S.C. § 112, first paragraph is moot.

35 U.S.C. § 103(a): Claims 23-25, 37-39 and 45-47

The Examiner rejected claims 23-25, 37-39 and 45-47 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. WIPO Publication No. 02/063243) in view of Kuroda et al. (US Patent No. 6,604,045).

The Examiner has indicated that claim 56 is allowable. Since claim 56 depends from claim 23, and since claim 23 has been amended to include all of the imitations of claim 56, Applicant asserts that the amended claim 23 is allowable and in condition for allowance. Since claims 24-25 depend from claim 23, Applicant contends that claims 24-25 are likewise in condition for allowance.

The Examiner has indicated that claim 57 is allowable. Since claim 57 depends from claim 37, and since claim 37 has been amended to include all of the imitations of claim 57, Applicant asserts that the amended claim 37 is allowable and in condition for allowance. Since claims 38-39 depend from claim 37, Applicant contends that claims 38-39 are likewise in condition for allowance.

The Examiner has indicated that claim 58 is allowable. Since claim 58 depends from claim 45, and since claim 45 has been amended to include all of the imitations of claim 58, Applicant asserts that the amended claim 45 is allowable and in condition for allowance. Since claims 46-47 depend from claim 45, Applicant contends that claims 46-47 are likewise in condition for allowance.

5 U.S.C. § 103(a): Claims 26, 40 and 48

The Examiner rejected claims 26, 40 and 48 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Heron (US Patent No. 6,055,478).

Since claims 26, 40 and 48 have been cancelled, the rejection of claims 26, 40 and 48 under 35 U.S.C. § 103(a) is moot.

35 U.S.C. § 103(a): Claims 27, 41 and 49

The Examiner rejected claims 27, 41 and 49 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Ohler et al. (US Patent No. 6,314,367) and LeFebvre et al. (US Patent No. 5,612,882).

Since claims 27, 41 and 49 respectively depend from allowable claims 23, 37, and 45, Applicant contends that claims 27, 41 and 49 are likewise allowable.

35 U.S.C. § 103(a): Claims 31, 44 and 52

The Examiner rejected claims 31, 44 and 52 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Jones (US Patent No. 6,904,359).

Since claims 31, 44 and 52 have been cancelled, the rejection of claims 31, 44 and 52 under 35 U.S.C. § 103(a) is moot.

35 U.S.C. § 103(a): Claims 53-55

The Examiner rejected claim 53-55 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Huckle et al. (WIPO Publication No. 02/063243) as modified by Kuroda et al. (US Patent No. 6,604,045) as applied to claims 23, 37 and 45 above, and further in view of Ito (EP 1,106,965).

Since claims 53, 54 and 55 respectively depend from allowable claims 23, 37, and 45, Applicant contends that claims 53, 54 and 55 are likewise allowable.

CONCLUSION

Based on the preceding arguments, Applicant respectfully believes that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicant invites the Examiner to contact Applicant's representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457 (IBM). The Attorney's reference number for this case is END-8194.

Date: October 21, 2010

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